

“(2) describe any changes to the Postal Service’s processing, transportation, delivery, and retail networks necessary to allow the Postal Service to meet the performance goals;

“(3) describe any changes to planning and performance management documents previously submitted to Congress to reflect new performance goals; and

“(4) describe the long-term vision of the Postal Service for rationalizing its infrastructure and workforce, and how the Postal Service intends to implement that vision.

“(c) POSTAL FACILITIES.—

“(1) FINDINGS.—Congress finds that—

“(A) the Postal Service has more than 400 logistics facilities, separate from its post office network;

“(B) as noted by the President’s Commission on the United States Postal Service, the Postal Service has more facilities than it needs and the streamlining of this distribution network can pave the way for the potential consolidation of sorting facilities and the elimination of excess costs;

“(C) the Postal Service has always revised its distribution network to meet changing conditions and is best suited to address its operational needs; and

“(D) Congress strongly encourages the Postal Service to—

“(i) expeditiously move forward in its streamlining efforts; and

“(ii) keep unions, management associations, and local elected officials informed as an essential part of this effort and abide by any procedural requirements contained in the national bargaining agreements.

“(2) IN GENERAL.—The Postal Service plan shall include a description of—

“(A) the long-term vision of the Postal Service for rationalizing its infrastructure and workforce; and

“(B) how the Postal Service intends to implement that vision.

“(3) CONTENT OF FACILITIES PLAN.—The plan under this subsection shall include—

“(A) a strategy for how the Postal Service intends to rationalize the postal facilities network and remove excess processing capacity and space from the network, including estimated timeframes, criteria, and processes to be used for making changes to the facilities network, and the process for engaging policy makers and the public in related decisions;

“(B) a discussion of what impact any facility changes may have on the postal workforce and whether the Postal Service has sufficient flexibility to make needed workforce changes;

“(C) an identification of anticipated costs, cost savings, and other benefits associated with the infrastructure rationalization alternatives discussed in the plan; and

“(D) procedures that the Postal Service will use to—

“(i) provide adequate public notice to communities potentially affected by a proposed rationalization decision;

“(ii) make available information regarding any service changes in the affected communities, any other effects on customers, any effects on postal employees, and any cost savings;

“(iii) afford affected persons ample opportunity to provide input on the proposed decision; and

“(iv) take such comments into account in making a final decision.

“(4) ANNUAL REPORTS.—

“(A) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the Postal Service shall prepare and submit a report to Congress on how postal decisions have impacted or will impact rationalization plans.

“(B) CONTENTS.—Each report under this paragraph shall include—

“(i) an account of actions taken during the preceding fiscal year to improve the efficiency and effectiveness of its processing, transportation, and distribution networks while preserving the timely delivery of postal services, including overall estimated costs and cost savings;

“(ii) an account of actions taken to identify any excess capacity within its processing, transportation, and distribution networks and implement savings through realignment or consolidation of facilities including overall estimated costs and cost savings;

“(iii) an estimate of how postal decisions related to mail changes, security, automation initiatives, worksharing, information technology systems, excess capacity, consolidating and closing facilities, and other areas will impact rationalization plans;

“(iv) identification of any statutory or regulatory obstacles that prevented or will prevent or hinder the Postal Service from taking action to realign or consolidate facilities; and

“(v) such additional topics and recommendations as the Postal Service considers appropriate.

“(5) EXISTING EFFORTS.—Effective on the date of enactment of this Act [Dec. 20, 2006], the Postal Service may not close or consolidate any processing or logistics facilities without using procedures for public notice and input consistent with those described under paragraph (3)(D).

“(d) ALTERNATE RETAIL OPTIONS.—The Postal Service plan shall include plans to expand and market retail access to postal services, in addition to post offices, including—

“(1) vending machines;

“(2) the Internet;

“(3) postage meters;

“(4) Stamps by Mail;

“(5) Postal Service employees on delivery routes;

“(6) retail facilities in which overhead costs are shared with private businesses and other government agencies;

“(7) postal kiosks; or

“(8) any other nonpost office access channel providing market retail access to postal services.

“(e) REEMPLOYMENT ASSISTANCE AND RETIREMENT BENEFITS.—The Postal Service plan shall include—

“(1) a comprehensive plan under which reemployment assistance shall be afforded to employees displaced as a result of automation of any of its functions, the closing and consolidation of any of its facilities, or such other reasons as the Postal Service may determine; and

“(2) a plan, developed in consultation with the Office of Personnel Management, to offer early retirement benefits.

“(f) CONTINUED AUTHORITY.—Nothing in this section shall be construed to prohibit the Postal Service from implementing any change to its processing, transportation, delivery, and retail networks under any authority granted to the Postal Service for those purposes.”

## PART V—TRANSPORTATION OF MAIL

Chap.		Sec.
<b>50.</b>	<b>General .....</b>	<b>5001</b>
<b>[52. Repealed]</b>	<b>.....</b>	<b>5201</b>
<b>54.</b>	<b>Transportation of Mail by Air .....</b>	<b>5401</b>
<b>56.</b>	<b>Transportation of Mail by Vessel ....</b>	<b>5601</b>

### AMENDMENTS

2006—Pub. L. 109-435, title X, § 1002(c), Dec. 20, 2006, 120 Stat. 3255, struck out item relating to chapter 52 “Transportation of Mail by Surface Carrier”.

## CHAPTER 50—GENERAL

Sec.	
<b>5001.</b>	<b>Provisions for carrying mail.</b>

Sec.	
5002.	Transportation of mail of adjoining countries through the United States.
5003.	Establishment of post roads.
5004.	Discontinuance of service on post roads.
5005.	Mail transportation.
5006.	Lien on compensation of contractor.
5007.	Free transportation of postal employees.

#### § 5001. Provisions for carrying mail

The Postal Service shall provide for the transportation of mail in accordance with the policies established under section 101(e) and (f) of this title and the provisions of this chapter. Notwithstanding any other provision of this title, the Postal Service may make arrangements on a temporary basis for the transportation of mail when, as determined by the Postal Service, an emergency arises. Such arrangements shall terminate when the emergency ceases and the Postal Service is promptly able to secure transportation services under other provisions of this title.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 766.)

#### EFFECTIVE DATE

Chapter effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### § 5002. Transportation of mail of adjoining countries through the United States

The Postal Service, with the consent of the President, may make arrangements to allow the mail of countries adjoining the United States to be transported over the territory of the United States from one point in that country to any other point therein, at the expense of the country to which the mail belongs, upon obtaining a like privilege for the transportation of United States mail through the country to which the privilege is granted.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 766.)

#### § 5003. Establishment of post roads

The following are post roads:

- (1) the waters of the United States, during the time the mail is carried thereon;
- (2) railroads or parts of railroads and air routes in operation;
- (3) canals, during the time the mail is carried thereon;
- (4) public roads, highways, and toll roads during the time the mail is carried thereon; and
- (5) letter-carrier routes established for the collection and delivery of mail.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 766.)

#### § 5004. Discontinuance of service on post roads

The Postal Service may discontinue service on a post road or part thereof when, in its opinion, the public interest so requires.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 767.)

#### § 5005. Mail transportation

(a) The Postal Service may obtain mail transportation service—

(1) from air carriers as provided in chapter 54 of this title;

(2) from water carriers as provided in chapter 56 of this title; and

(3) by contract from any person or carrier for surface and water transportation under such terms and conditions as it deems appropriate, subject to the provisions of this section.

(b)(1) Contracts for the transportation of mail procured under subsection (a)(3) of this section shall be for periods not in excess of 4 years (or such longer period of time as may be determined by the Postal Service to be advisable or appropriate) and shall be entered into only after advertising a sufficient time previously for proposals. The Postal Service, with the consent of the holder of any such contract, may adjust the compensation allowed under that contract for increased or decreased costs resulting from changed conditions occurring during the term of the contract.

(2) A contract under subsection (a)(3) of this section may be renewed at the existing rate by mutual agreement between the contractor or subcontractor and the Postal Service.

(3) Any contract between the Postal Service and any carrier or person for the transportation of mail shall be available for inspection in the office of the Postal Service and either the Surface Transportation Board or the Secretary of Transportation if for the carriage of mail in foreign air transportation (as defined in section 40102(a) of title 49), as appropriate, and in post offices on the post roads involved as determined by the Postal Service, at least 15 days prior to the effective date of the contract.

(c) The Postal Service, in determining whether to obtain transportation of mail by contract under subsection (a)(3) of this section or by Government motor vehicle, shall use the mode of transportation which best serves the public interest, due consideration being given to the cost of the transportation service under each mode.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 767; Pub. L. 92-286, May 1, 1972, 86 Stat. 133; Pub. L. 98-443, §9(g)(2), Oct. 4, 1984, 98 Stat. 1707; Pub. L. 103-272, §5(k)(2), July 5, 1994, 108 Stat. 1375; Pub. L. 104-88, title III, §307(1), (2), Dec. 29, 1995, 109 Stat. 945, 946; Pub. L. 109-435, title X, §1002(a)(2), (b)(1), Dec. 20, 2006, 120 Stat. 3254, 3255.)

#### AMENDMENTS

2006—Subsec. (a). Pub. L. 109-435, §1002(a)(2)(A), struck out par. (1), which related to common carriers by rail and motor vehicle or persons as provided in chapter 52, redesignated pars. (2) to (4) as (1) to (3), respectively, and, in par. (3), struck out “(as defined in section 5201(6) of this title)” after “any person”.

Subsec. (b)(1), (2). Pub. L. 109-435, §1002(a)(2)(B), (b)(1), substituted “(a)(3)” for “(a)(4)” in pars. (1) and (2) and “(or such longer period of time as may be determined by the Postal Service to be advisable or appropriate)” for “(or where the Postal Service determines that special conditions or the use of special equipment warrants, not in excess of 6 years)” in par. (1).

Subsec. (c). Pub. L. 109-435, §1002(a)(2)(C), substituted “by contract under subsection (a)(3) of this section or” for “by carrier or person under subsection (a)(1) of this section, by contract under subsection (a)(4) of this section, or”.

1995—Subsec. (a)(4). Pub. L. 104-88, §307(1), substituted “5201(6)” for “5201(7)”.

Subsec. (b)(3). Pub. L. 104-88, §307(2), substituted “Surface Transportation Board” for “Interstate Commerce Commission”.

1994—Subsec. (b)(3). Pub. L. 103-272 substituted “section 40102(a) of title 49” for “section 101 of the Federal Aviation Act of 1958”.

1984—Subsec. (b)(3). Pub. L. 98-443 substituted “Secretary of Transportation if for the carriage of mail in foreign air transportation (as defined in section 101 of the Federal Aviation Act of 1958)” for “Civil Aeronautics Board”.

1972—Subsec. (b)(2). Pub. L. 92-286 substituted “contractor or subcontractor” for “holder”.

#### EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of Title 49, Transportation.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-443 effective Jan. 1, 1985, see section 9(v) of Pub. L. 98-443, set out as a note under section 5314 of Title 5, Government Organization and Employees.

### § 5006. Lien on compensation of contractor

(a) A person who—

(1) performs service for a contractor or subcontractor in the transportation of mail;

(2) files his contract for service with the Postal Service; and

(3) files satisfactory evidence of performance with the Postal Service;

shall have a lien on money due the contractor or subcontractor for the service.

(b) The Postal Service may pay the person establishing a lien under subsection (a) of this section the sum due him, when the contractor or subcontractor fails to pay the person the amount of his lien within 2 months after the expiration of the month in which the service was performed. It shall charge the amount so paid to the contract. The payments may not exceed the annual rate of pay of the contractor or subcontractor.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 767.)

### § 5007. Free transportation of postal employees

(a) Each person or carrier engaged in the transportation of mail shall carry on any vessel, train, motor vehicle, or aircraft he operates, upon exhibiting their credentials and without extra charge therefor, persons on duty in charge of the mails or when traveling to and from such duty.

(b)(1) In this subsection, “air carrier” and “aircraft” have the same meanings given those terms in section 40102(a) of title 49.

(2) An air carrier engaged in transporting mail shall carry without charge on any plane it operates those agents and officers of the Postal Service traveling on official business related to transporting mail by aircraft, as prescribed by regulations of the Secretary of Transportation, on exhibiting credentials.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 768; Pub. L. 103-272, §4(g)(1), July 5, 1994, 108 Stat. 1364.)

#### AMENDMENTS

1994—Pub. L. 103-272 designated existing provisions as subsec. (a) and added subsec. (b).

### [CHAPTER 52—REPEALED]

#### [[§§ 5201 to 5215. Repealed. Pub. L. 109-435, title X, § 1002(a)(1), Dec. 20, 2006, 120 Stat. 3254]]

Section 5201, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 768; Pub. L. 95-473, §2(a)(4)(A)-(C), Oct. 17, 1978, 92 Stat. 1465; Pub. L. 96-454, §3(b)(2), Oct. 15, 1980, 94 Stat. 2012; Pub. L. 97-261, §6(d)(4), Sept. 20, 1982, 96 Stat. 1107; Pub. L. 99-521, §4(3), Oct. 22, 1986, 100 Stat. 2993; Pub. L. 104-88, title III, §307(3)-(9), (14), Dec. 29, 1995, 109 Stat. 946, related to definitions.

Section 5202, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 768, related to applicability of chapter.

Section 5203, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 768; Pub. L. 95-473, §2(a)(4)(D), Oct. 17, 1978, 92 Stat. 1465; Pub. L. 104-88, title III, §307(10), (14), Dec. 29, 1995, 109 Stat. 946, related to authorization of service by carrier.

Section 5204, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 769, related to changes in service and placement of equipment.

Section 5205, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 769, related to evidence of service.

Section 5206, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 769, related to fines and deductions.

Section 5207, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 770; Pub. L. 104-88, title III, §307(11), (14), Dec. 29, 1995, 109 Stat. 946, directed the Surface Transportation Board to fix rates.

Section 5208, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 770; Pub. L. 104-88, title III, §307(12), (14), Dec. 29, 1995, 109 Stat. 946, related to procedures.

Section 5209, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 770; Pub. L. 104-88, title III, §307(14), Dec. 29, 1995, 109 Stat. 946, related to special rates.

Section 5210, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771, related to intermodal transportation.

Section 5211, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771, related to statistical studies.

Section 5212, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771; Pub. L. 104-88, title III, §307(14), Dec. 29, 1995, 109 Stat. 946, related to special contracts.

Section 5213, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771, related to carrier operations, receipts, and expenditures.

Section 5214, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771, related to agreements with passenger common carriers by motor vehicle.

Section 5215, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771; Pub. L. 95-473, §2(a)(4)(E), Oct. 17, 1978, 92 Stat. 1465; Pub. L. 104-88, title III, §307(12)-(14), Dec. 29, 1995, 109 Stat. 946, related to star route certification.

### CHAPTER 54—TRANSPORTATION OF MAIL BY AIR

Sec.	
5401.	Authorization.
5402.	Contracts for transportation of mail by air.
5403.	Fines.

#### § 5401. Authorization

(a) The Postal Service is authorized to provide for the safe and expeditious transportation of mail by aircraft.

(b) Except as otherwise provided in section 5402 of this title, the Postal Service may make such rules, regulations, and orders consistent with part A of subtitle VII of title 49, or any order, rule, or regulation made by the Secretary of Transportation thereunder, as may be necessary for such transportation.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 772; Pub. L. 98-443, §9(g)(3), Oct. 4, 1984, 98 Stat. 1707; Pub. L. 103-272, §5(k)(3), July 5, 1994, 108 Stat. 1375.)

#### AMENDMENTS

1994—Subsec. (b). Pub. L. 103-272 substituted “part A of subtitle VII” for “sections 1301-1542”.